

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 58110.US  
First Named Inventor Jam s Vig Sherrill  
Title ANALYZER FOR BIOLOGICAL PROBES AND METHOD OF DETECTION  
Express Mail Label No. EV 327 363 982 US

**APPLICATION ELEMENTS**  
See MPEP Chapter 600 concerning utility patent application contents.

**ADDRESS TO:** Commissioner for Patents  
Mail Stop PATENT APPLICATION  
P.O. Box 1450  
Alexandria, VA 22313-1450

- 1 ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- 2 ☒ Applicant claims small entity status
- 3 ☒ Specification [Total Pages 30]
- 4 ☒ Drawing(s) (35 U.S.C 113) [Total Sheets 10]
- 5 Oath or Declaration [Total Pages ]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- 6 ☐ Application Data Sheet. See 37 C.F.R. 1.76
- 7 ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- 8 Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- 9 ☐ Assignment Papers (cover sheet & document(s))
- 10 ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- 11 ☐ English Translation Document (if applicable)
- 12 ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- 13 ☐ Preliminary Amendment
- 14 ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- 15 ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- 16 ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent
- 17 ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment:

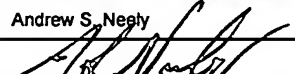
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

**Prior application information:** Examiner **Group / Art Unit:**  
For CONTINUATION OR DIVISIONAL APPS only. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer No. 000408 or Bar Code Label (Insert Customer No. or Attach bar code label here) or Correspondence address below

Name LUEDEKA, NEELY & GRAHAM, P.C.  
Address P.O. Box 1871  
City Knoxville State Tennessee Zip Code 37901  
Country U.S. Telephone 865-546-4305 Fax 865-523-4478

Name (Print/Type) Andrew S. Negly Registration No. (Attorney) 28,979  
Signature  Date November 25, 2003

The PTO did not receive the following listed item(s) 1 page of SPC

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2004</h2> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision.</p>		Complete If Known	
		Application Number	NEW
		Filing Date	November 25, 2003
		First Named Inventor	James Vig Sherrill
TOTAL AMOUNT OF PAYMENT	(\$) <b> 439.00</b>	Attorney Docket No.	58110.US

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																														
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p style="margin-left: 40px;">Deposit Account No. <b>12-2355</b>  Deposit Account Name:  <b>LUEDEKA, NEELY &amp; GRAHAM</b></p> <p><input checked="" type="checkbox"/> Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17.</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <b>Check No. 49498</b></p>	<p><b>3. ADDITIONAL FEES</b></p> <table style="width: 100%; font-size: small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>420</td><td>216</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>950</td><td>217</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,480</td><td>218</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>2,010</td><td>228</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>330</td><td>219</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>330</td><td>220</td><td>165</td><td>Filing a brief in support of appeal</td><td></td></tr> <tr><td>121</td><td>290</td><td>221</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,330</td><td>241</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,330</td><td>242</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>480</td><td>243</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>640</td><td>244</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>770</td><td>246</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		115	110	215	55	Extension for reply within first month		116	420	216	210	Extension for reply within second month		117	950	217	475	Extension for reply within third month		118	1,480	218	740	Extension for reply within fourth month		128	2,010	228	1,005	Extension for reply within fifth month		119	330	219	165	Notice of Appeal		120	330	220	165	Filing a brief in support of appeal		121	290	221	145	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,330	241	665	Petition to revive - unintentional		142	1,330	242	665	Utility issue fee (or reissue)		143	480	243	240	Design issue fee		144	640	244	320	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Statement		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	770	246	385	Filing a submission after final rejection (37 CFR 1.129(a))	
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SUBMITTED BY		
Typed or Printed Name	Andrew S. Neely	Registration No. 28,979
Signature		Date November 25, 2003



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LITIGATION

November 25, 2003

MAIL STOP PATENT APPLICATION

ANDREW S. NEELY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

MARK S. GRAHAM

Re: ANALYZER FOR BIOLOGICAL PROBES AND  
METHOD OF DETECTION  
LNG File No. 58110.US / C-2903.0

ROBERT O. FOX

Dear Sirs:

DAVID E. LAROSE

Enclosed are the specification, claims, drawings and transmittal letter for a patent application. Because the inventors were not available to execute the oath or declaration, none is submitted herewith. The inventors' names, addresses and citizenships are as follows:

GEOFFREY D. KRESSIN

MICHAEL E. SELLERS

RICHARD W. BARNES, JR

MARK P. CROCKETT

J. DAVID GONCE

Inventor(s) Name And Address	Citizenship
James Vig Sherrill 105 Stonebridge Way Oak Ridge, TN 37830	United States
Charles Franklin Barnett 3564 Navigator Point Knoxville, TN 3722	United States

A properly executed declaration will be submitted within the time period set.

MICHAEL T. LUKON

Respectfully submitted,  
LUEDEKA, NEELY & GRAHAM, P.C.

JULIE A. BIRDWELL

By:

Andrew S. Neely  
Registration No. 28,979

ASN:cmw

Enclosures

"Express Mail" Mailing Label No. EV 327 363 982 US

Date of Deposit: November 25, 2003

FRED THOMSEN  
OF COUNSEL